

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD W. BRATTON,

Plaintiff,

v.

RON BROOMFIELD, et al.,

Defendants.

Case No. 20-03885 BLF (PR)

**ORDER GRANTING IN PART
MOTION FOR EXTENSION OF
TIME TO FILE SECOND
AMENDED COMPLAINT**

(Docket No. 17)

Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983 against prison staff at San Quentin State Prison. Dkt. No. 1. On December 29, 2021, the Court dismissed the amended complaint with leave to amend. Dkt. No. 16. Plaintiff was directed to file a second amended complaint by January 25, 2022. *Id.*

Plaintiff has filed a motion for an extension of time to file a second amended complaint due to limited law library access. Dkt. No. 17. Plaintiff has requested a sixty-day extension of time. *Id.* Good cause appearing, the motion is GRANTED IN PART. Plaintiff shall file a second amended complaint using the court's form complaint to attempt to correct the deficiencies in the amended complaint **no later than twenty-eight days (28) from the date this order is filed. Plaintiff may move for additional time if necessary.**

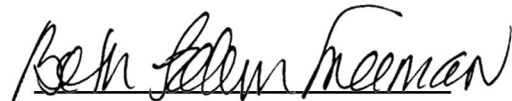
1 The second amended complaint must include the caption and civil case number
2 used in this order, *i.e.*, Case No. C 20-03885 BLF (PR), and the words “SECOND
3 AMENDED COMPLAINT” on the first page. Plaintiff must answer all the questions on
4 the form in order for the action to proceed. Plaintiff is reminded that the second amended
5 complaint supersedes the amended, and Plaintiff may not make references to the amended
6 complaint. Claims not included in the second amended complaint are no longer claims and
7 defendants not named in a second amended complaint are no longer defendants. *See*
8 *Ferdik v. Bonzelet*, 963 F.2d 1258, 1262 (9th Cir.1992).

9 **Failure to respond in accordance with this order by filing a second amended**
10 **complaint in the time provided will result in the dismissal of this action without**
11 **prejudice and without further notice to Plaintiff.**

12 **This order terminates Docket No. 17.**

13 **IT IS SO ORDERED.**

14 **Dated: __January 26, 2022__**


BETH LABSON FREEMAN
United States District Judge